

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SCOTT EMERSON EVATT,

Plaintiff,

v.

PAUL SIMBECK, *et al.*

Defendants.

CASE NO. 3:24-cv-05772-TMC-GJL

ORDER GRANTING EXTENSION

The District Court has referred this prisoner civil rights action filed pursuant to 42 U.S.C. § 1983 to United States Magistrate Judge Grady J. Leupold. Currently before the Court is Plaintiff Scott Emerson Evatt's Motion for Continuance. Dkt. 8. For the reasons below, Plaintiff's Motion is **GRANTED**.

On September 12, 2024, Plaintiff, proceeding *pro se*, initiated this action by filing an incomplete Application to Proceed *In Forma Pauperis* ("IFP") and a Proposed Complaint. Dkts. 1, 1-1. Because Plaintiff failed to cure his IFP deficiencies or pay the filing fee before the deadline established by the Clerk's Office, the Court directed Plaintiff to accomplish one of the following on or before **November 18, 2024**:

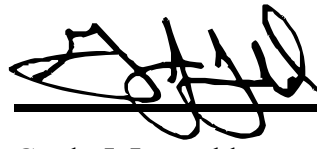
- 1 1. File a complete IFP Application including a certified copy of his Prison
- 2 Trust Account Statement;
- 3 2. Show cause why he cannot file a complete IFP application by that date; or
- 4 3. Pay the \$405.00 filing fee.

5 Dkt. 4. The Court advised Plaintiff that failure to satisfy one of the above requirements by the
6 stated deadline would result in a recommendation that this action be dismissed for failure to
7 properly prosecute and failure to comply with a court order. *Id.*

8 The Court received Plaintiff's Motion for Continuance on November 18, 2024. Dkt. 8. In
9 his Motion, Plaintiff simply states "I need a continuance for 2 ½ months I am in the hospital
10 [until] Feb. 5, 2025." *Id.* Although no further explanation is provided, the Court presumes
11 Plaintiff is unable to obtain a copy of his Prison Trust Account Statement while hospitalized. Out
12 of an abundance of caution, the Court will **EXTEND** the deadline for Plaintiff to correct his IFP
13 Application or pay the filing fee. However, Plaintiff is **ADVISED** that future motions seeking
14 relief from deadlines must include, at a minimum, a simple explanation for why an extension of
15 time is required.

16 Accordingly, Plaintiff's Motion for Continuance (Dkt. 8) is **GRANTED**. The new
17 deadline for Plaintiff to either (1) submit a complete IFP Application or (2) pay the \$405.00
18 filing fee is **February 14, 2025**.

19 Dated this 19th day of November, 2024.

20
21 
22 _____
23 Grady J. Leupold
24 United States Magistrate Judge